

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JORGE DOMINGUEZ and
LUIS MARISCAL-LOPEZ, AKA,
LUIS MARISOL-LOPEZ, AKA,
LUIS LOPEZ.**

Defendants.

Cr. No. 21-524 KWR

**UNITED STATES' SEALED SECOND SUPPLEMENTAL BRIEF
REGARDING CO-CONSPIRATOR STATEMENTS**

The United States hereby provides its Sealed¹ Second Supplemental Brief regarding Co-Conspirator Statements pursuant to Federal Rule of Evidence 801(d)(2)(E), as directed by the Court in its Order for a second Supplemental Brief. (Doc 174). The United States moves this Court to make pre-trial findings that such evidence is admissible as either coconspirator statements, or admissible under other exceptions or exclusions from the hearsay rule. In the following discussion, the United States provides the information in the following format, as recommended by the Court in its order:

- a) The identity of the co-conspirator who made the alleged statement;
- b) The identity of the people to whom the co-conspirator statement was made;
- c) The content of the co-conspirator statement;
- d) When the statement was made; and
- e) How the statement is in the course of and in furtherance of the alleged conspiracy.

Finally, for brevity, the title of the corresponding subsection in the first supplemental brief (Doc.

¹ The United States files this under seal due to the references to the Grand Jury proceedings and the inclusion of the minor co-conspirator's name from the selected portions of the documents.

118) are used as reference points.

I. STATEMENTS FOR REVIEW

A. Statements from Crystal Ramos. Doc. 118 at 5.

The United States maintains these statements² are admissible as non-hearsay and statements against interest, in addition to being admissible as co-conspirator statements. The additional theories of admissibility will be addressed in separate motions *in limine*.

1. Initial Interaction. Doc. 118 at 5.

The United States withdraws this as a co-conspirator statement only.

2. Misdirection of when she was around. Doc. 118 at 7.

a) Crystal Ramos.

b) Det. Amber Marez.

c) The following is from page 3, lines 11-18 of the transcript:

11	Q	Do you know of anybody that I could talk to that could --
12		that still talks to her?
13	A	You know what --
14	Q	Or --
15	A	When she was out here -- I had heard she was out here,
16		and I have no idea who she was with out here.
17		Because she had told me she was in Albuquerque, but she
18		was here.

d) March 14, 2018.

² The transcript has errors in the names: “More” should be “Mora” and “Detective Miles” should be “Detective Marez.”

- e) At the time this statement is made, Jessica Mora is only a missing person, Det. Marez does not know that the conspirators murdered her, and some of her remains are concealed on the property where the interview is taking place. The statement furthers the conspiracy because it misdirects the investigation by leading law enforcement to believe that Jessica Mora is still alive. This provides the conspirators with the time and space to decide how to dispose of the remains they have been holding onto.

3. ATM Card. Doc. 118 at 7.

The United States withdraws this as a co-conspirator statement only.

4. Continued communication as misdirection. Doc. 118 at 8.

- a) Crystal Ramos.
- b) Det. Amber Marez.
- c) The following is from page 6, lines 15-21.

15	on that card. If you could just --
16	A All right, now. I'll message her and see if I can get a
17	response back or something at least.
18	Q Okay, awesome.
19	A Yeah, so we haven't talked.
20	Q Right. All right, yeah.
21	A I'll kick her in her mouth if I could.

- d) March 14, 2018.
- e) Similar to subsection 2 above, this statement misdirects the investigation by

leading Det. Marez to believe Jessica Mora is still alive. It continues to buy the conspirators time to dispose of the remains they still have hidden on the property.

B. Statements from Jorge Dominguez. Doc. 118 at 9.

1. J.T. describes where they finally disposed of the remains. Doc. 118 at 9.

- a) J.T.
- b) Jorge Dominguez.
- c)

8	Q	Where'd you see it, where —	
9	A	It was there in the backyard. It's not there no more. But	
10		to me, Jazz told me that it was — that they buried it somewhere by the	
11		river, that it's really easy to find.	

- d) Dominguez told TFO Abeyta about this conversation on April 11, 2018.
- e) This statement furthered the conspiracy because it communicated to one of the members—Dominguez—that the conspiracy was complete and there was nothing left to do.

2. Initial description of plan to torture. Doc. 118 at 10.

- a) Ramos and potentially J.T. or Black.
- b) Dominguez.

//

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- c)

5	A	Well, that day when we were there, they were telling us to
6		get ready to get someone to — that was coming because they were
7		going to beat them up and, you know, that they were going to torture
8		them. So as the day kept getting closer and closer to that time that
9		she was getting there, when she was actually on the way, Tosh started
10		shaking (indisc.)
11	Q	(Indisc.) think he knew a little bit?
12	A	He knew — he did know. I know because they told us
13		about it (indisc.) —
14	Q	Oh, they told you about —
15	A	-- to be involved in it.
16	Q	They told — well, what did they say, like what do you
17		mean?
18	A	Like once she walked in, they wanted us to grab her and
19		throw her on the floor and start like beating her up.

d) This statement was made to Dominguez leading up to kidnapping on January 14. Dominguez told TFO Abeyta about it on April 11, 2018.

e) This statement furthers the conspiracy because it describes how the conspirators planned to kidnap and torture Mora, as well as the roles of the conspirators.

3. Dominguez's April 16, 2018 statement about the burn site. Doc. 118 at 11.

This statement is withdrawn for consideration as a co-conspirator statement only.

4. Dominguez's April 16, 2018 statement about the plan. Doc. 118 at 13.

- a) Ramos.
- b) Dominguez.

c)

9	MR. DOMINGUEZ: The plan was to for — they
10	wanted me and Jessica to beat her, to hit her with the shotgun —

19	SPECIAL AGENT MARCUM: What was the plan for
20	Jessica?
21	MR. DOMINGUEZ: When she walked in the door, to
22	hit her and get her on the floor and just beat her up. And she wanted
23	to torture her for a week, that's what she wanted to do.
24	SPECIAL AGENT MARYCZ: And this was Crystal's —
25	MR. DOMINGUEZ: Yeah, Crystal's plan.

3	Q So Crystal is the one that said — she is the one that said, I
4	want to do this —
5	A Yeah.
6	Q -- to Jessica.
7	A This bitch (indisc.)
8	Q And she came up with the plan and then she gave people
9	tasks. She said, you're going to do this when you come in — when she
10	comes in the door, you're going to do this when you — so she came up
11	with all that.
12	A Yeah. She was —
13	Q Did that happen, did they torture her or was it —
14	A No. She —
15	Q -- all —
16	A I guess they overdid it right away and she died right away.
17	Q So was the eventual plan to kill her no matter what?
18	A No.
19	Q So just to torture her.
20	A Yeah.
21	Q For a week but not necessarily — the plan at least wasn't
22	necessarily to kill her.
23	A No, it wasn't to kill her.
24	Q But, I mean, she said she drilled her. She took a drill.
25	A Yeah.

d) Dominguez has this conversation with Ramos in the days leading up to January

14, 2018. Dominguez tells law enforcement about this statement on April 16, 2018.

- e) This statement furthered the conspiracy because it explained the plan to torture Jessica Mora and some of the details about how they were going to execute the plan, i.e., it goes to the heart of the conspiracy.

5. Dominguez's statement on May 31, 2018, to FBI Agents Marcum and Marycz.

Doc. 118 at 16.

- a) Mariscal-Lopez and Black.
- b) Dominguez.
- c)

CRYSTAL RAMOS ("RAMOS") wanted to lure JESSICA MORA ("MORA") to her house so they could beat her up and torture her for weeks. RAMOS wanted to teach MORA a lesson and show her who's boss after RAMOS learned that MORA stole money from her debit card. RAMOS planned to pick up MORA from Buffalo Thunder Resort and bring her back to 302 McKracken Lane where the attack would occur.

On the night of the murder, RAMOS called MORA via Facebook Messenger and pretended to be friendly with her. RAMOS and JAZMERAE TORREZ ("TORREZ") drove to Buffalo Thunder Resort and brought MORA back to 302 McKracken. The following people were present at 302 McKracken when RAMOS called MORA: RAMOS, TORREZ, DOMINGUEZ, JESSICA ROMERO ("ROMERO"), JOHNNY BLACK ("BLACK"), "TOSH" and "BOO-BOO." The following people were present at 302 McKracken when MORA arrived: DOMINGUEZ, ROMERO, RAMOS, TORREZ, and BOO-BOO.

DOMINGUEZ and ROMERO were in RAMOS' bedroom when MORA arrived. RAMOS came in and tried to convince them to help attack MORA with the butt-end of a shotgun, but ROMERO was too scared. When they opened the bedroom door and looked in the living room, TORREZ was hitting MORA with the butt-end of a .22 rifle and BOO-BOO was hitting MORA with a pipe that had tape on one end. MORA laid unconscious on the floor as they continued to hit, kick, and stomp her. RAMOS then got a power drill and drilled into MORA's side. DOMINGUEZ believed MORA was still breathing at this time.

DOMINGUEZ told ROMERO to close the bedroom door; he then heard the others drag MORA's body to TORREZ's bedroom. RAMOS returned to her bedroom and told DOMINGUEZ and ROMERO they were going to start torturing MORA. BOO-BOO then appeared and said, in Spanish, that he "took her last breath."

BOO-BOO and TORREZ wrapped MORA's body in clear plastic, black trash bags, and a black and white striped blanket. RAMOS lined TORREZ's bedroom with the clear plastic before MORA's arrival so blood would not get on the floor or walls. BOO-BOO then dragged MORA's body to the laundry room.

BLACK left 302 McKracken before MORA's arrival so he could get ROMERO's Hyundai Santa Fe and cover the interior with plastic. He returned after the murder and parked the car behind the residence. He and BOO-BOO placed MORA's body in the rear of the SUV and drove off.

DOMINGUEZ and MORA slept in the living room for the next two days. When DOMINGUEZ woke up, BOO-BOO told him everything had been taken care of, but BLACK said they still had to take care of the body. DOMINGUEZ took some pain medication for his foot and fell back asleep for approximately 1-2 hours. He was awoken by BLACK and RAMOS telling him and ROMERO they all needed to leave the house right away to dispose of MORA's body. DOMINGUEZ believed RAMOS and BLACK forced them to go so they could hold it over them.

DOMINGUEZ, ROMERO, BLACK, RAMOS, and BOO-BOO, all got into a lifted purple Silverado which RAMOS and BLACK borrowed from a friend who lived on Ohkay Owingeh pueblo. DOMINGUEZ knew the location of their friend's house, but did not know their friend's name. DOMINGUEZ was told BLACK and RAMOS drove MORA's body around for two days in ROMERO's SUV. BLACK and RAMOS then left ROMERO's SUV at the Ohkay Owingeh residence and borrowed the Silverado to transport MORA's body to the desert. BLACK and RAMOS put MORA's body in the bed of the Silverado along with a chainsaw, sleeping bags, BLACK's toolbox, plastic bins, gas cans, and two white buckets. BLACK and RAMOS covered everything with a tarp; they wanted it to look like they were going camping.

They drove to an area in the desert that BLACK and RAMOS thought would be the most hidden location to burn MORA's body. RAMOS and BOO-BOO dragged MORA off of the truck; she was wrapped in plastic from TORREZ's bedroom, as well as tarp and a blanket. BOO-BOO tried to dismember MORA with the chainsaw, but it got caught on the blanket. The two of them then dragged her to where a fire had already been started; they put her entire body in the fire. BLACK tended to the fire and BOO-BOO added gas and tree branches each time the fire began to die down.

DOMINGUEZ and BLACK left for several hours to get food and methamphetamine. When DOMINGUEZ returned, ROMERO was crying because she thought they were going to kill her next. They burned MORA's body for

approximately six hours, from 4AM - 11AM. DOMINGUEZ and ROMERO did not participate in the burning of MORA's body; DOMINGUEZ cooked steaks and consoled ROMERO.

RAMOS began freaking out because helicopters were flying nearby. BLACK used a shovel to scoop out any items that did not completely burn and put them in his black toolbox. Some of the items BLACK scooped out included gloves, tape, pieces of plastic, clothes, and any remaining body parts. The toolbox was put in the Silverado and taken back to 302 McCracken. They kept the toolbox in the backyard, next to the Mitsubishi Eclipse and a fence.

Approximately 2-3 weeks later, DOMINGUEZ was working on the Eclipse and opened the toolbox. He saw a thin layer of cement, and approximately 3-4 inches of MORA's spine poking through. The toolbox had duct tape on it, but DOMINGUEZ was able to open it easily. DOMINGUEZ did not know MORA's torso was in the toolbox.

d) These statements were made the night of the incident and the days that followed.

Dominguez told law enforcement about this statement on May 31, 2018.

e) To the extent this statement includes co-conspirator statements, the co-conspirator statements detail the planning and execution of the disposal of Mora's body, which was the final task of the conspiracy.

6. Torture for a week.

a) Ramos.

b) Dominguez.

c)

1 like, well, what are you planning on doing? Then they -- well, they
2 were planning on -- Crystal wanted to take her outside to a shed and
3 keep torturing her for a week.

4 Q Is that what -- who said that?

5 A Crystal did.

- d) This statement was made leading up to January 14-15, 2018. Dominguez made the statement to law enforcement on November 4, 2022.
- e) This statement furthered the conspiracy because it communicated the plan to torture Jessica Mora.

C. Statements from Robert Abeyta. Doc. 118 at 19.

Abeyta knew of the plan to kidnap and kill Mora. They openly discussed it in front of him. There may have been attempts to recruit him into the conspiracy. He heard them planning it before it happened from Ramos, Dominguez, and Romero. He knew that Mariscal-Lopez, Black and J.T. were involved in the conspiracy and the roles they could play. He heard the plans to prepare the room they eventually tortured Mora in with plastic and trash bags. Abeyta describes these conversations as ongoing for a week leading up to it.

1. Plan

- a) Statements made by Ramos, Dominguez, and Romero.
- b) Robert Abeyta, a.k.a., Tosh.
- c) Law enforcement report (Bates 109-111) and transcript from July 5, 2018.

CRYSTAL RAMOS, JORGE DOMINGUEZ and JESSICA ROMERO were talking openly about planning the murder of JESSICA MORA. TOSH would leave when they would start talking this topic because he did not want to be around it. RAMOS, DOMINGUEZ and ROMERO thought TOSH was telling people about what he overheard.

DOMINGUEZ and "BOOBOO" were going to grab MORA from BUFFALO THUNDER and go at her. ROMERO told TOSH that DOMINGUEZ killed MORA for ROMERO. DOMINGUEZ choked MORA when she walked into the house. After she died DOMINGUEZ and BOOBOO cut

MORA up.

3 MR. ABEYTA: Yeah. So they were, like -- so
4 they were planning it, and I -- that's when I started
5 keeping my distance. That's how really everything
6 started because they would try to plan it, and I would
7 blow it off or take off.

- d) The statements were made in the days leading up to January 14-15, 2018. Abeyta told law enforcement about the statements on July 5, 2018.
- e) The statements were made in the furtherance of the conspiracy because they describe the active planning that went into the kidnapping and murder of Mora.

2. Plan cont. Doc. 118 at 20 21 (combines both sections titled "Plan cont.").

- a) Ramos, Black, Romero, Dominguez, Mariscal-Lopez, and Torrez.
- b) Abeyta.
- c) Law enforcement report (Bates 110-111).

RAMOS, BLACK, ROMERO, DOMINGUEZ, BOOB00 and JAZMERAE TORREZ (JAZMERAE) all knew the plan to kill MORA. They prepared a room to kill MORA in by putting trash bags on the walls and floors. The trash bags were black and went about half way up the wall and the floor was covered. BOOB00 put up the plastic in the room. They discussed prepping the room for about a week; TOSH would try to distance himself from them whenever they talked about prepping the room. DOMINGUEZ chopped up MORA in the shed. RAMOS talked about eating dinner around MORA's body placed out on the kitchen table.

BLACK participated in the planning of MORA's murder. It was BLACK and RAMOS's idea to put plastic down in the room. DOMINGUEZ choked MORA. DOMINGUEZ,

BOOB00, and BLACK cut up MORA's body. JAZMERAE was surprised that BLACK was not there when the murder occurred.

- d) The statements were made roughly a week before January 14-15, 2018. Abeyta told law enforcement about the statements on July 5, 2018.
- e) These statements furthered the conspiracy because they described the planning that went into preparing the house for Mora's torture and murder.

3. Plan cont. New.

- a) Ramos.
- b) Abeyta.
- c) From transcript of interview on 7/5/18 page 9 from Abeyta to law enforcement.

"She said basically that they were going to go pick her up at -- or she was going to go pick her up at, um -- at Buffalo Thunder, bring her back to the house where Boo Boo and, uh -- and Jorge were going to just basically go at her."

- d) The statement was made in the weeks leading up to January 14-15, 2018. Abeyta told law enforcement about the statements on July 5, 2018.
- e) These statements furthered the conspiracy because they describe how the conspirators planned to inveigle Mora from the Buffalo Thunder Casino to the house where she was murdered.

4. Purpose of conspiracy.

- a) Ramos.
- b) Abeyta.
- c) Law enforcement report – Bates 110 and transcript 35.

RAMOS found out about MORA stealing her money around Christmas time. RAMOS said she had the footage and was going to pick up MORA.

- d) The statement was made in the weeks leading up to January 14-15. Abeyta told law enforcement about the statement on July 5, 2018.

e) This statement is the motive and genesis of the conspiracy.

5. Cover up. Doc. 118 at 21.

a) Dominguez.

b) Abeyta.

c) Law enforcement report-Bates 110 and transcript page 12-13.

They kept MORA's body in the box behind BLACK's house for three months after
the murder.

11 MR. ABEYTA: Well, the whole time this is
12 going on, and he was even at my house, Jorge was just
13 tripping out still. And I told him, "Well, come on.
14 What -- what's going on now?" I said, "Why? You got
15 that off your chest. What's bugging you?"
16 He's all, "Well, she's -- they didn't get
17 rid of her."
18 So I was like, "What?" I said, "You guys
19 are stupid as hell."
20 And he's all, "Well, she's in the backyard
21 in a box." And I thought that's pretty messed up, no.
22 So that's messed up. And they were saying that she's,
23 like -- she was in a box somewhere, and, uh, I kind of
24 freaked out.
25 I was like, "What do you mean she's in a

1 box?"
2 And he's all, "She's in a box in cement."
3 I said, "Cement?" I said, "Why the fuck you
4 guys -- what are you doing? You know what I mean?
5 Like, really? You guys are that stupid? You guys are
6 telling everybody in town what the hell you guys did and
7 this chick's in a box behind the house. How dumb is
8 that?"

- d) The statement was made in the weeks after the murder when the remains were still on the property. Abeyta told law enforcement about the statement on July 5, 2018.
- e) The statement was in the course and furtherance of the conspiracy because it informed one of the members the body was not disposed of and the conspiracy was still ongoing. Similarly, Abeyta's reply furthered the conspiracy by telling the conspirators they needed to dispose of the body soon, i.e., complete the plan.

6. Statement from May 3, 2018 (transcript pp. 56-57). Doc. 118 at 21.

- a) Ramos, Black and possibly other co-conspirators.
- b) Abeyta.
- c) Statement by Abeyta to law enforcement on May 3, 2018.

10	Q	What did they say? What did you hear?
11	A	They kind of said, like, "Oh, well, what you -- what you call
12		it, that person" -- because they weren't using names.
13	Q	Okay.
14	A	Said, "That person -- we would kind of (indisc.) put it on
15		the table and eat dinner," and shit like that. And I was, like, you guys
16		are even fucking full-blown killers. Like, you know what I mean? Like,
17		what the hell do I want to hear that shit for?
18	Q	They were saying that they were going to eat her?
19	A	No, that they were going to put it on the table while they
20		eat dinner and shit, and I was, like --
21	Q	Put her body on the table while they ate?
22	A	Yeah. And I was, like, you guys ain't that fucking -- like,
23		you know what I mean? Like, (indisc.) like, I don't -- I said, "I don't
24		want to hear that shit." So, they stopped.
25	Q	But they said that.

		57
1	A	Yeah.
2	Q	Who said that? Crystal or Johnny, or both?
3	A	They were kind of like bragging about it, kind of laughing
4		and shit, so it was kind of like a -- like, all of them were just kind of
5		putting it -- like, you know what I mean?

- d) Statement on May 3, 2018 about what they planned to do after they kidnapped and tortured Mora.
- e) These statements are part of the planning phase of the conspiracy before they kidnapped Mora.

D. Statements from Jessica Romero. Doc. 118 at 23.

1. Theft from bank account. Doc. 118 at 23.

The United States withdraws this as a co-conspirator statement only.

2. Description of what occurred at 302 McCracken and was said that day. Doc. 118 at 24.

- a) Ramos.
- b) Romero.
- c) Statement by Jessica Romero to FBI.

RAMOS called MORA and wanted to set her up and confront her about the stolen money. RAMOS said she wanted to show MORA, "who was boss." RAMOS said they needed to "take her out." RAMOS wanted to kill MORA. RAMOS eventually called MORA and told her that ROMERO and BLACK were having an affair and took off with RAMOS's money in order to lure MORA to the house.

On the day of the murder TOSH took off from the house; TOSH did not want to be involved in the murder. ROMERO couldn't bring herself to cut or beat up MORA.

When MORA walked in to the house, RAMOS looked at TORREZ and DOMINGUEZ. TORREZ and RAMOS started hitting MORA and DOMINGUEZ was yelling at MORA. They pushed MORA into a room. The room they pushed her into was down the hall to the right, on the left hand side. They tied MORA to a chair. TORREZ, RAMOS, and BOOBOO started hitting MORA.

BLACK showed up later in ROMERO's car; the back seat and back of the car were covered in plastic. MORA's body was lying on the floor wrapped in a blanket in the laundry room. MORA's body was not mutilated at the house; the body was wrapped in a blanket and tarp.

The assault started in the living room and MORA was dragged into the other room. MORA was mostly hit in the face.

BOOBOO and BLACK moved MORA's body to ROMERO's HYUNDIA Santa Fe. The back seats were folded down with plastic laid down. DOMINGUEZ, BLACK and BOOBOO left with MORA's body; DOMINGUEZ came back about 20 minutes later but BLACK and BOOBOO did not return with him. After returning DOMINGUEZ laid down with ROMERO; DOMINGUEZ's foot was swollen and hurt from something.

DOMINGUEZ pushed MORA down. They yelled at MORA while assaulting her, yelling, "You took money, how could you sit at our table." MORA took the beating until she was unconscious. RAMOS complained that she wanted MORA to, "suffer" and was upset that "she was gone too easy."

MORA's body was wrapped in plastic that was once on the walls in the room where she was killed. RAMOS put up plastic beforehand to cover up the murder.

RAMOS said they had to get rid of the body quick so they, "lit it."

TORREZ hit MORA first. MORA was standing when the assault began. When MORA walked into the house and looked around she knew what was about to happen. The only thing MORA said during the assault was, "That's enough." MORA tried to block blows and fell down. A couch flipped over when she fell. MORA was then pushed into the room. TORREZ and BOOBOO all had gloves on. BOOBOO was wearing batting gloves. RAMOS had socks on her hands. RAMOS also kicked MORA. They used string to tie

MORA to a green plastic chair.

- d) The statements were made leading up to and on the day of the kidnapping. Jessica Romero told the FBI about the statements on May 31, 2018.
- e) Much of the statement comes in as eyewitness testimony. To the extent that it contains co-conspirator statements, they were made in furtherance of the conspiracy because they are statements about the planning of the murder and made during the murder.

3. 2021 account and description of the event. Doc. 118 at 25.

The United States withdraws this as a co-conspirator statement only.

4. Co-conspirator description of the motivation to harm Mora – previous sworn statement by Romero. Doc. 118 at 26.

The United States withdraws this as a co-conspirator statement only.

5. Ramos' reaction to the theft, the plan and execution of the plan. Doc. 118 at 28-34.

- a) Ramos.
- b) Romero.
- c) Sworn statement by Romero.

2	A. She was angry. She said she wanted to beat
3	her up and tie her to table while she ate.
4	Q. What do you mean by that? how did she
5	describe wanting to tie her to a table?
6	A. She said she wanted to sit her on a chair,
7	tie her arms back, her legs back, have her beat up
8	and bleeding while we ate at the table.
9	Q. What made her so upset that she wanted to
10	do that at the table?
11	A. Because Jessica stole from her, and while
12	knowing Jessica stole from her, she sat at the same
13	table, ate our food, and was interactive with
14	Jazmarie and Anthony, Crystal's kids, and acted like
15	nothing happened. So she wanted her to be there
16	suffering while we ate around the table.
17	Q. Was there a plan to do something about it?
18	A. She said she wanted to, but she never acted
19	on it. I never heard of a plan to do it. Just -- a
20	detailed plan. I just heard that she wanted to tie
21	her up and have her watch us while we eat, bloody.
22	Q. Now, was this sort of at the end of 2017,
23	or in early -- kind of mid January of 2018?
24	A. Yeah. It was before New Years.
25	Q. That she became upset?

- d) The statement was made in the weeks leading up to January 14-15, 2018. Romero told law enforcement about the statement on April 13, 2021.
 - e) These statements go to the motive, plan, and execution of the object of the conspiracy.
6. Ramos statement on what she did.
- 1. Ramos.
 - 2. Romero.
 - 3. Sworn statement by Romero.

3	Q.	And at any point did either Crystal Ramos
4		or Jorge Dominguez -- did they describe what they had
5		done to Jessica Mora?
6	A.	Crystal briefly told me that she strangled
7		Jessica, and she would just keep her hands around her
8		neck until she felt her life go, and right when she
9		was about to die, she let it go and let her come
10		back. A little bit after that Jessica just gave up.
11		She said, She died too easy. She died too fast.
12		They wanted to torture her.
13	Q.	You mentioned that Jessica Mora's body was
14		in the laundry room wrapped up in the plastic?
15	A.	Yes.
16	Q.	What happened to the body?
17	A.	A couple of minutes or hours after that
18		happened, we started smoking heroin. I remember Boo
19		Boo drug Jessica's body into the laundry room, went
20		in the front, got my car, brought it around back, and
21		I fell asleep. I nodded out, and when I woke up
22		everybody was gone.

4. Sworn statement by Romero made on 4/13/21 describing plans by Ramos – page 20
5. Ramos made the statement to Romero about what she did. Again, this is also a statement against interest by Ramos. It was made after the death of Mora, but before the remains in the toolbox were destroyed.

6. Dominguez knew the plan. Doc. 118 at 35.

The United States withdraws this as a co-conspirator statement only.

7. Ramos directed son to turn up headphones (p. 24). Doc 118 at 35.

- a) Ramos.
- b) To A.P., but heard by Romero.
- c) Sworn statement by Romero.

7	Q. You also mentioned that Crystal had a	
8	younger son. Do you know where the younger son was?	
9	A. He was in his room. Earlier that day	
10	Crystal had given him headphones -- like, big	
11	headphones, like the Bose headphones, and told him to	
12	turn it up and leave it on, because it was going to	
13	get loud. Just to leave them on.	

- d) That statement was made in the days leading up to January 14-15, 2018. Romero told law enforcement about it on April 13, 2021.
- e) This statement is statement furthered the conspiracy because it prevented a potential witness to the murder, i.e., concealed it, and shows additional planning.

E. Statements from Edward Archuleta. Doc. 118 at 36.

The United States withdraws these statements as co-conspirator statements only.

F. Facebook Statements

The Facebook messages are newly added to the supplement. The United States contends these are acts of the conspiracy are therefore admissible under *res gestae* as evidence. However, an alternative theory for admissibility is as co-conspirator statements. They are messages that include at least one co-conspirator so they could be admitted under that theory as well.

1. Statements between Ramos and Mora

- a) Ramos.
- b) Facebook business records of communications between Mora and Ramos.
- c)

Body

Woman! I have fought with myself over and over if I should try and message you, My anger towards you! The disappointment I feel about you, says " fuck no" let her be the less I hear from you the better! But than my heart says different and feels pitty for you and wants to forgive .. "but not anytime soon ;)" anyway "I'm list for words"

I herd you was missing and didn't believe it figured you was ashamed of yourself and in utterly disgusted in your self and went MIA again, than I saw it everywhere and a investigator came by and confirmed it.. not to sure how to feel about it cause you did me so ducking dirty bitch! DAM a few mos later and I am still in shock and pist more than anything wtf was you thinking? Who the fuck does that, lbitch I got kids at home and you pull not 1 but 2 stupid unforgivable things .. GRRRR. [] That was and is my fuckin life your playing with asshole! Until I know what the fuck is going on and what is real or not because of your decision my lil man dad took him from me and you of all people know I need my boy!! Ugh!! I'm not mad about the money I am hurt tho.. But that shit you pulled with the pisas.. OMG... I can't believe you put my name in it ok I'll stop what's done is done right and if shit gets real than I guess we going to war

Author Crystal Torrez (100017106317201)

Sent 2018-01-15 19:50:15 UTC

Body Where you at women?? Call me once you get a chance !

Author Jessica Mora (100000477261562)

Sent 2018-01-15 01:27:55 UTC

Body Hey hey hey y u not answering me loka I have called messaged what's up

Author Jessica Mora (100000477261562)

Sent 2018-01-14 17:34:25 UTC

Body Hello mcfky

Author Jessica Mora (100000477261562)

Sent 2018-01-14 11:39:29 UTC

Body You never called me hope your b day was good woman

Author Jessica Mora (100000477261562)
Sent 2018-01-13 18:23:14 UTC
Body Woman!!!!!!!!!!!!!!

Author Jessica Mora (100000477261562)
Sent 2018-01-13 17:56:17 UTC
Body Happ

Call me back

Author Crystal Torrez (100017106317201)
Sent 2018-01-13 02:10:13 UTC
Body All this talk and no action .. SMH

Author Jessica Mora (100000477261562)
Sent 2018-01-13 01:15:59 UTC
Body Well lucky for you mighty Jess is here to save the day and BTW I will be more then happy to clean up your mess any day any time I pay special attention to those more sensitive places my speciality again in case you forgot is an ovarian clean out specialist I will have you oiled to a dripping wet creamy consistency pipes will be sucked out and refilled with the new Jess shocker once this is complete you will feel like a million and one bucks also in order to keep your drive up to part I will need to provide this service to you everyday atleast twice a day the more the service is performed the better you will feel at minimum Jess needs to provide to you at least once a day and that is the very minium...

Author Jessica Mora (100000477261562)
Sent 2018-01-13 01:15:40 UTC

Author Crystal Torrez (100017106317201)
Sent 2018-01-13 01:01:13 UTC
Body No he still locked up ... Like I said it's a "mess"

Author Jessica Mora (100000477261562)
Sent 2018-01-13 01:00:30 UTC
Body Did Jessica's man get out??? Wtf happened man y have you not called sooner I know I have been gone awhile but I put that I'm here for you now and always no matter what...

Author Crystal Torrez (100017106317201)
Sent 2018-01-13 00:53:43 UTC
Body It's all fucked .. the husband left again "nothing new" Jessica is missing and can't be found any where ☹☹ dude so much shit has happened

Author Jessica Mora (100000477261562)
Sent 2018-01-13 00:51:47 UTC
Body But o gotcha fa sho not to worry

Author Jessica Mora (100000477261562)

Facebook Business Record		Page 186
Sent	2018-01-13 00:51:47 UTC	
Body	What love awe man I will call you in a min on my way to burque to get a friend hooked up	
Author	Crystal Torrez (100017106317201)	
Sent	2018-01-13 00:48:59 UTC	
Body	I NEED YOU!!!	
Author	Crystal Torrez (100017106317201)	
Sent	2018-01-13 00:48:04 UTC	
Body	I'm good, but been better lol alot of BS .. SMH.. Remember that thing you helped me clean up before??? Well woman I need help hahahaha .. your girl fucked up again □□□□□□□□	
Author	Jessica Mora (100000477261562)	
Sent	2018-01-12 21:40:16 UTC	
Body	How you doing boo	

Current	2018-09-10 20:48:56 UTC	
Participants	Crystal Torrez (100017106317201) Jessica Mora (100000477261562)	
Author	Crystal Torrez (100017106317201)	
Sent	2018-03-25 05:21:24 UTC	
Call Record	Type phone	
	Missed true	
	Duration 0	
Author	Crystal Torrez (100017106317201)	
Sent	2018-03-23 20:29:45 UTC	
Body	I ment I need my boy home	
Author	Crystal Torrez (100017106317201)	
Sent	2018-03-23 20:24:13 UTC	
Body	Cause I will not sit back and be bullied FOR REAL! Bitch you better go to war with me! and not just therrere your ads better be my right hand no you better be in front of me .. shit I I already paid you to be the body guard I just didn't know it .. lol ... Dude for real no joking, call someone "not me tho" hahaha ;) this is bs I can understand hiding from me cause your ashamed but this shit is getting out of hand fuckin detectives coming over and shit! Yes I did tell her everything "almost" I rathe seer you in jail than to be all strung out... .. . I'm speechless now "for once" hahaha not even sure how to word this shit never the less I don't know how not to make jokes lol but this is some real shit Jess! I don't know if you took that money from someone else to pay me back "I'm lucky I didn't go to jail" or if it's the "other" shit you pulled is what your running from "boost my ego and say your running from. Me" lol than I might let you call me Sheera □□ ... mofo call someone do something at least let me know what's up I NEED my fuckin home yo... text or call someone ... I wish and hope the best for you . But I hope I don't see you	

- d) Facebook Messages sent between January 13, 2018 and March 23, 2018.
- e) The messages from January 13-15, 2018 show the beginning of the inveigling of Mora by Ramos. The messages from March 23, 2018 take place after the detective came to visit when Mora's remains are still on the property and are part of the plan to cover-up the murder until the remains are disposed of.

2. Facebook messages between J.T. and Mora.

- a) J.T. (possibly Ramos on J.T.'s account).
- b) Mora.
- c) Messages between J.T. and Mora.

Facebook Business Record

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Thread

(2270643829628170)

Current 2018-11-13 19:59:14 UTC**Participants** Jessica Mora (100000477261562)
Jazmerae Torrez (100017908579368)**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:47:32 UTC**Body** Were not gonna chase a grown ass women ... You know where we are if you need us**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:46:35 UTC**Body** HELLOOOOO**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:45:53 UTC**Body** Dude call me**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:45:49 UTC**Body** are you okay ????**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:45:43 UTC**Body** Call me NOW**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 06:45:36 UTC**Body** Dude ... What happened ??? Who the fuck jumps out the car!!?
Where ARE YOU AT?!?!**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:21:02 UTC**Call Record** **Type** phone
Missed true
Duration 0**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:20:02 UTC**Call Record** **Type** phone
Missed true
Duration 0**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:18:19 UTC**Body** Come outside**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:09:25 UTC**Body** hey wait I want chips**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:09:10 UTC**Body** Lol funny shit it's all good I have seriously misses you guys**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:08:33 UTC

Facebook Business Record

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Body

Just my mom & brother . His Lil ass just haadddd to come for some chips ☐☐

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:08:03 UTC

Body lght who u with

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:07:53 UTC

Body Okay we'll stay online cause I'ma be there soon ! ♥

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:07:46 UTC

Body Let me move outside and I will try and call your ass

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:07:24 UTC

Body Nope I have no idea where Potter is

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:06:57 UTC

Body Haha it's 7! Is there a number I can get ahold of you on?m

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:06:38 UTC

Body Make it 7

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:06:33 UTC

Body You already are ☐☐

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:06:18 UTC

Body I just wanna get hi on your bueaty

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:06:12 UTC

Body Be there in 10

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:06:08 UTC

Body Stfu☐☐☐☐

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:06:05 UTC

Body Sweet

Author Jessica Mora (100000477261562)

Sent 2018-01-15 05:05:56 UTC

Body Damn barely now I'ma be asleep

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:05:54 UTC

Body Cause I got a bong

Author Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:05:51 UTC

Body You better

Facebook Business Record

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Author

Jazmerae Torrez (100017908579368)

Sent 2018-01-15 05:05:46 UTC**Body** Ready to get high out your skull???**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:05:36 UTC**Body** Okay, on the way ☐☐**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:05:33 UTC**Body** Where you at woman**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:05:22 UTC**Body** At Buffalo thunder**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:05:10 UTC**Body** Where you at women**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:05:06 UTC**Body** What's up**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:04:59 UTC**Body** Won't let me answer**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:04:56 UTC**Body** Wyaaaa**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 05:04:51 UTC**Body** Message me**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:04:45 UTC**Call Record** **Type** phone**Missed** true**Duration** 0**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 05:04:36 UTC**Call Record** **Type** phone**Missed** false**Duration** 2**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 03:31:16 UTC**Body** Ya I have a lil bit your mom talked to my dad pretty I think they got it all settled**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 03:09:47 UTC**Body** Hey do you have anything? We haven't picked up & I have a bunch of people who need.

Facebook Business Record

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Author

Jessica Mora (100000477261562)

Sent 2018-01-15 02:56:00 UTC**Body** Y u crying yo?? but I'm definitely down to smoke a joint been staying hi as a mofo**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 02:55:02 UTC**Body** I'll see you in a few my nigga ! You're smoking a joint w me and listen to me cry☹☹**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 02:55:00 UTC**Call Record** **Type** phone**Missed** true**Duration** 0**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 02:54:29 UTC**Body** Will I was going to borrow a phone but I'm on my way to Buffalo thunder and your mom is going to pick me up so I will see you at the pad**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 02:51:28 UTC**Body** I'm going to call you now from potters phone**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 02:34:38 UTC**Call Record** **Type** phone**Missed** true**Duration** 0**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 02:02:43 UTC**Body** 5053579378**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 02:02:33 UTC**Body** Borrow a phone**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 01:46:00 UTC**Body** Jessica sent a voice message.**Attachments** audioclip-1515980759000-30592.mp4 (2302599176432635)**Type** audio/mpeg**Size** 49957**URL** https://attachment.fbsbx.com/messaging_attachment.php?aid=2302599176432635&mid=mid.%24cAAAABBCF0tjnKMPsb1g93uT_K1aj&uid=100017908579368&accid=100017908579368&previous=0&hash=AQAFuj078IO9v3GOqsJA3oFkRENbrrZajut1g2Uida1zSA**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 01:43:04 UTC**IP** 2607:fb90:6cb7:3bd4:f8d1:25bd:3ec2:da82**Body** You: ☹☹

Facebook Business Record

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Attachments

sticker (369239263222822)

Type image/png**Size** 0**URL** https://attachment.fbsbx.com/messaging_attachment.php?aid=369239263222822&mid=mid.%24cAAAABBCF0tjnKME8iVg93vxtYTtb&uid=100017908579368&accid=100017908579368&preview=0&hash=AQD0YW9djhsio2VG_qoF3DDfXg_x0-JkzfOMIiAdbmWpQ**Photo Id:** 369239263222822**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-15 01:37:13 UTC**Body** I'm alright Jess... Call me when you get a chance? 5059303395**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 01:32:03 UTC**Body** Hey loka how ya doing fo?**Author** Jessica Mora (100000477261562)**Sent** 2018-01-15 01:28:42 UTC**Body** Jessica is waving at you!**Share Date Created** 2018-01-15 01:28:42 UTC**Text****Url****Author** Jessica Mora (100000477261562)**Sent** 2018-01-11 00:30:22 UTC**Body** I'm in Santa loks**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-10 21:24:21 UTC**Body** I'm headed up to albq in a few with my homegirl, Let's kick it !?!**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-10 21:22:53 UTC**Body** Dude**Author** Jessica Mora (100000477261562)**Sent** 2018-01-09 08:50:51 UTC**Body** What kind of face is that???**Author** Jazmerae Torrez (100017908579368)**Sent** 2018-01-09 08:48:02 UTC**Body** ☐☐**Author** Jessica Mora (100000477261562)**Sent** 2018-01-09 08:47:48 UTC

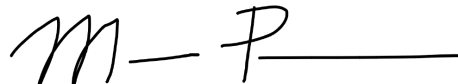
- d) The messages of concern are all on January 14-15, 2018.
- e) These are some of the communications for how Ramos and J.T. inveigled Mora to come back to their home. These are the messages communicated to Mora about coming over to hang out and use drugs. These also contain a few messages that are part of the cover up, acting as if Mora jumped out of the car and left them.

VI. CONCLUSION

For the foregoing reasons, the United States respectfully requests that this Court allow the above-described evidence in the prosecution's case-in-chief. The United States also seeks permission to amend this motion should additional evidence come to light. The United States seeks a pre-trial ruling on this motion and hearing if necessary.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
United States Attorney

A handwritten signature in black ink, appearing to read 'M - P', followed by a horizontal line.

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